

# House File 785 - Introduced

HOUSE FILE 785  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO HSB 210)

(COMPANION TO SF 345 BY DAWSON)

## A BILL FOR

1 An Act relating to amusement concessions, and including  
2 effective date and retroactive applicability provisions.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 99B.1, subsections 1, 18, and 19, Code  
2 2021, are amended to read as follows:

3 1. "*Amusement concession*" means a game of skill or game  
4 of chance ~~with an instant win possibility~~ where, if the  
5 participant ~~completes a task, the participant wins~~ may win  
6 a prize. "*Amusement concession*" includes but is not limited  
7 to carnival-style games and video games that are conducted  
8 by a person for profit. "*Amusement concession*" does not  
9 include casino-style games or amusement devices required to be  
10 registered pursuant to [section 99B.53](#).

11 18. "*Game of chance*" means a game whereby the result is  
12 determined by chance ~~and the player in order to win completes~~  
13 ~~activities, such as aligning objects or balls in a prescribed~~  
14 ~~pattern or order or makes certain color patterns appear.~~ "*Game*  
15 *of chance*" specifically includes but is not limited to bingo.  
16 "*Game of chance*" does not include a slot machine or amusement  
17 device.

18 19. "*Game of skill*" means a game whereby the possibility  
19 of a result is determined by favorable to the player increases  
20 with the player's ability to do a task, such as directing  
21 or throwing objects to designated areas or targets, or by  
22 maneuvering water or an object into a designated area, or by  
23 maneuvering a dragline device to pick up particular items,  
24 or by shooting a gun or rifle at "targets", or aiming at,  
25 capturing, or collecting symbols on a video screen.

26 Sec. 2. Section 99B.31, subsection 1, paragraph a, Code  
27 2021, is amended to read as follows:

28 a. The person conducting the amusement concession has  
29 submitted a license application and a fee of fifty dollars  
30 for each amusement concession at least thirty days prior to  
31 conducting an amusement concession, and has been issued a  
32 license for the amusement concession, and prominently displays  
33 the license at the playing area of the amusement concession.  
34 A license is valid for a period of one year from the date of  
35 issue.

1       Sec. 3. DEPARTMENT OF INSPECTIONS AND APPEALS — 2020  
2 AMUSEMENT CONCESSIONS LICENSES. Notwithstanding any provision  
3 of law to the contrary, amusement concession licenses and  
4 provisional licenses issued by the department of inspections  
5 and appeals in calendar year 2020 shall allow the licensee to  
6 conduct any amusement concession that was authorized to be  
7 conducted on the date of licensure in 2020 for the duration of  
8 the one-year license.

9       Sec. 4. EFFECTIVE DATE. This Act, being deemed of immediate  
10 importance, takes effect upon enactment.

11       Sec. 5. RETROACTIVE APPLICABILITY. The following applies  
12 retroactively to January 1, 2020:

13       The section of this Act authorizing the continuation of  
14 amusement concession licenses and professional licenses for a  
15 one-year duration.

16	EXPLANATION
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17           The inclusion of this explanation does not constitute agreement with  
18           the explanation's substance by the members of the general assembly.

19 This bill relates to amusement concessions.

20       The bill changes the definition of amusement concession to a  
21 game of skill or game of chance where the participant may win a  
22 prize. The bill adds video games as an example of an amusement  
23 concession.

24 The bill changes the definition of game of chance to a game  
25 whereby the result is determined by chance. Under current  
26 law, a game of chance must also require a player to complete  
27 activities, such as aligning objects or balls in a prescribed  
28 pattern or order or make certain color patterns appear, in  
29 order to win.

30       The bill changes the definition of a game of skill to a  
31 game whereby the possibility for a result favorable to the  
32 player increases with the player's ability to do a task. The  
33 bill adds shooting a gun or rifle at "targets", and aiming at,  
34 capturing, or collecting symbols on a video screen as examples  
35 of activities in games of skill.

1     The bill requires amusement concession license applicants to  
2 submit their application and application fee for an amusement  
3 concession license at least 30 days before conducting amusement  
4 concession activities.

5     The bill directs the department of inspections and appeals  
6 to adopt rules that set out that all amusement concession  
7 licenses and provisional licenses issued in calendar year 2020  
8 shall remain valid until the date prescribed for the licenses  
9 on the licenses' date of issue. The bill makes this directive  
10 retroactive to January 1, 2020.

11    The bill takes effect upon enactment.